

Yeas—Senators Allison, Baker, Bradshaw, Bradley, Camp, Culberson, Davenport, Dillard, Dwyer, Ellis, Erath, Friend, Hobby, Ireland, Ledbetter, Morris, Moore, Parker, Randle, Russell, Swift, Trollinger and Westfall—23.

Nays—None.

Absent, not voting—Ball, Flanagan, Stirman and Wood.

Senator Dillard offered the following resolution:

Resolved, That it is hereby made the duty of the President of the Senate to direct by his order, which rooms shall be occupied in the Capitol by the different committees.

Adopted.

On motion of Senator Swift, the Senate adjourned to 10 o'clock A. M. to-morrow.

NINTH DAY.

SENATE CHAMBER,
AUSTIN, January 22, 1874.

Senate met pursuant to adjournment. Roll called; quorum present.

Prayer by the chaplain.

Journal of yesterday read, corrected and adopted.

A message was received from the House, announcing the passage of Senate bill No. 10, "Re-enacting an act entitled 'An act to authorize the Police Court of Leon county to levy and collect a special tax to build a jail, and to validate the action of said police court, under the same, and to cause the same to be published as one of the laws of the Thirteenth Legislature.'"

Senator Erath presented the petition of Willett Holmes. Read first time and referred to Committee on Private Land Claims.

Senator Friend introduced a bill with accompanying petitions, entitled "A bill to amend an act entitled 'An act to provide for the creating of two counties out of the territory now embraced within the limits of Refugio county,' and to provide for their organization." Read first time and referred to Committee on Counties and County Boundaries.

Senator Russell presented a petition from citizens of Starr county. Read and referred to Committee on State Affairs.

Senator Ireland, Chairman of Judiciary Committee, submitted the following reports:

Hon. R. B. Hubbard, President of the Senate:

Your committee to whom was referred Senate bill No. 9, entitled "An act to incorporate the Austin Omnibus Company," instruct me to report the same back with the recommendation that the same do not pass.

Ireland, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your committee to whom was referred

"An act to reorganize the seventh, eighth and eleventh Judicial Districts of the State of Texas, and to fix the time for holding the courts therein," instruct me to report the same back, with the recommendation that the same do pass.

Ireland, Chairman.

Report adopted.

On motion of Senator Allison, the rules were suspended, bill taken up, read second time and ordered engrossed.

Senator Ireland, Chairman of Committee on Judiciary, submitted also the following report:

Hon. R. B. Hubbard, President of the Senate:

Your committee to whom was referred Senate Bill No. 7, entitled "An act authorizing the County Court of Tyler county, to levy a special tax for certain purposes," beg leave to report the same back, with the recommendation that the same do pass.

All of which is respectfully submitted.

Ireland, Chairman.

Senator Hobby moved that the rules be suspended, and the report and bill be taken up. Carried.

Report adopted, bill read second time and ordered engrossed.

On motion of Senator Hobby, the rules were further suspended, bill read third time and passed.

Senator Ireland, Chairman of the Judiciary Committee, submitted also the following report:

Hon. R. B. Hubbard, President of the Senate:

Your committee to whom was referred Senate bill No. 13, entitled "An act to amend 'An act prescribing the times for holding the district courts in the several judicial districts of this State,'" beg leave to report the same back with the recommendation that the same do not pass.

All of which is respectfully submitted,

Ireland, Chairman.

Senator Swift introduced a bill entitled "An act to amend 'An act to incorporate the Orange, Jasper and Shelby Railroad Company, and to aid in the construction of their road.'" Read first time and referred to Committee on Internal Improvements.

Senator Baker, Chairman of the Committee on Finance, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Finance, to whom was referred the subject of subscribing for daily papers for use of the Senate, beg leave to submit the following resolution, and recommend its adoption.

W. R. BAKER, Chairman.

Resolved, That ten copies of daily papers publishing the proceedings of the Legislature, or a synopsis thereof, be furnished each Senator, and that each Senator furnish the secretary with a list of the papers desired by him, and that the secretary con-

tract for them at rates not exceeding the subscription prices of such papers.

Lost.

Senator Ireland, Chairman of Judiciary Committee, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:
Your committee to whom was referred Senate bill No. 11, entitled "An act to change the venue in the case of the State of Texas v. James I. Perkins, E. G. Hinkle, John Stubblefield, Wm. Loggins, John Wade, John Alexander, Richard Head and Dogan Tucker, pending in the District Court of Wood county," beg leave to report the same back, with the recommendation that the same do not pass.

All of which is respectfully submitted,
IRELAND, Chairman.

Senator Randle, chairman of the Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:
Your Committee on Engrossed Bills beg leave to report that they have carefully examined and compared Senate bill No. 25, "An act to amend 'An act to incorporate the city of Brownsville,'" approved February 7, A. D. 1873, and find the same correctly engrossed.

ED. RANDLE, Chairman.

On motion of Senator Russell, the rules were suspended, bill read third time and passed.

Senator Ireland, Chairman of Judiciary Committee, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:
Your committee to whom was referred Senate Bill, No. 14, entitled "An act to authorize district judges to inquire into the sufficiency of the bonds of justices of the peace," instruct me to report the same back, with an amendment, and that said bill do pass as amended.

IRELAND, Chairman.

Report adopted, bill taken up, read second time and ordered engrossed.

On motion of Senator Ireland, the rules were further suspended, bill read third time and passed.

Senator Swift offered the following resolution:

Resolved, That the Secretary of the Senate be authorized to continue his contract made for papers for the Senate.

Senator Dillard moved to lay the resolution on the table. Lost.

Senator Dillard moved to refer the resolution to the Committee on Retrenchment and Reform. Lost.

Senator Dillard moved to indefinitely postpone the resolution. Lost.

Senator Swift moved the adoption of the resolution. The yeas and nays being called for, the vote stood thus:

Yeas—Senators Bradshaw, Bradley, Cul-

herson, Ellis, Hobby, Ledbetter, Randle, Russell, Swift and Wood—10.

Nays—Senators Allison, Baker, Camp, Davenport, Dillard, Dwyer, Erath, Friend, Ireland, Morris, Moore, Parker and Westfall—13.

Absent, not voting—Senators Ball, Flanagan, Stirman and Trollinger.

The resolution was lost.

Senator Ireland offered the following resolution:

Resolved, That a committee of three be appointed by the President of the Senate, to take into consideration the tenure of office of the Superintendent of Public Instruction; and that said committee report at the earliest convenience.

Adopted.

The following were appointed as said committee: Senators Ellis, Wood and Camp.

A message was received from the House announcing the passage of House bills Nos. 3 and 5, "An act appropriating the sum of twenty thousand dollars, or so much thereof as may be necessary, to defray the contingent expenses of the first session of the Fourteenth Legislature." Also, "An act making an appropriation for mileage and *per diem* pay of members and the *per diem* pay of officers and the employees of the Fourteenth Legislature."

Senator Wood introduced a bill entitled "An act to amend Article 778 of 'An act to establish a Criminal Code for the State of Texas.'" Read first time and referred to Judiciary Committee.

Senator Wood introduced a bill entitled "An act to amend the fourth section of an act entitled 'An act better defining the marital rights of parties,'" passed March 13, A. D. 1848. Read first time and referred to Judiciary Committee.

Senator Wood introduced a bill entitled "An act concerning landlords and tenants." Read first time and referred to Judiciary Committee.

Senator Bradshaw offered the following resolution:

Resolved, That the DEMOCRATIC STATESMAN be required to publish the Constitution, as amended, with the rules of this house.

Adopted.

Senator Davenport offered the following resolution:

Resolved, That the Committee on Public Buildings be, and are hereby instructed to examine the condition of the Executive Mansion, as soon as practicable, and report upon the condition of the same; and also report the amount of furniture in said mansion, and what, if any, additional articles of furniture are needed; and that the said committee be authorized to take such steps as may be necessary to put the Executive Mansion in proper condition for occupancy.

Adopted.

Senator Culberson introduced a bill entitled "An act to authorize a change of venue in civil cases." Read first time and referred to Judiciary Committee.

Senator Ellis introduced the following resolution:

Resolved, That the President and Secretary of the Senate are hereby authorized to issue certificates to each of the assistant sergeants-at-arms, appointed by him to protect the Senate chamber, for their compensation, at the rate of eight dollars per day; to be paid out of the contingent fund.

Adopted.

Senator Dillard introduced a bill, entitled "An act for the relief of the heirs or assignees of William Stephens, deceased." Read first time and referred to Committee on Private Land Claims.

Senator Randle, Chairman of Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills, beg leave to report that they have carefully examined and compared Senate bill No. 2, "To regulate and define mileage to be paid to members of the Legislature." Also, Senate bill No. 17, "Making an appropriation to defray the contingent expenses of the first session of the Fourteenth Legislature of the State of Texas," each and both of which we find correctly engrossed.

ED. RANDLE, Chairman.

Senate joint resolution was then read third time and adopted by the following vote:

Ayes—Senators Allison, Ball, Baker, Bradshaw, Bradley, Camp, Culberson, Davenport, Dillard, Dwyer, Ellis, Erath, Friend, Hobby, Ireland, Ledbetter, Morris, Moore, Parker, Randle, Swift, Westfall and Wood—23.

Absent, not voting—Flanagan, Russell, Stirman and Trollinger.

On motion of Senator Baker, leave of absence was granted Senator Ledbetter until Tuesday next.

(Senator Swift in the chair.)

Senator Camp introduced a bill entitled "An act to validate the registry of deeds, bonds and other evidences of title in certain cases." Read first time and referred to the Committee on Judiciary.

Senator Culberson introduced a bill entitled "An act to amend Article 2994, of the Code of Criminal Procedure." Read first time and referred to the Committee on Judiciary.

(President in the chair.)

Senator Friend offered the following resolution:

Resolved, That the sergeant-at-arms be instructed and required to place the several committee rooms designated for the use of such committees, in good order, by having such furniture as he may find therein re-

paired and the procurement of new furniture, when proper:

Adopted.

Senator Randle, Chairman of the Committee on Engrossed Bills, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills beg leave to report that they have carefully examined Senate joint resolution No. 18, "Ratifying the amendments to section twenty of article one, Bill of Rights; to section two, section three and section four of article five; section twenty-eight, section 40 and section forty-eight of article twelve of General Provisions of the Constitution of the State of Texas," and find the same correctly engrossed.

ED. RANDLE, Chairman.

Senator Hobby offered the following resolution:

Resolved, That the Committee on Enrolled Bills be and is hereby authorized to appoint one assistant enrolling clerk.

Senator Dillard moved to amend by adding "whenever they may deem it necessary."

Amendment accepted, and the resolution as amended was adopted.

Senator Dillard offered the following resolution:

Resolved, That a committee of three be appointed to wait on the Superintendent of Education, and, if possible, procure the use of some of the rooms now occupied by his department, for the use of Senate committees.

Senator Wood moved to amend by striking out "and, if possible."

Amendment accepted, and the resolution as amended was adopted.

The President appointed the following Senators as said committee: Senators Wood, Erath and Westfall.

Senator Baker moved to adjourn to 8:30 p. m. to-day. Lost.

Senator Swift moved to adjourn to 10 A. M. to-morrow. Carried.

TENTH DAY.

SENATE CHAMBER,

AUSTIN, January 23, 1874.

Senate met pursuant to adjournment. Roll called; quorum present.

Prayer by the chaplain.

Journal of yesterday was read, and corrected by striking out the word "not" in the seventh line of report of Senator Ireland, on Senate bill No. 13; also inserting "five" in place of "seven," in sixth line of report of Senator Randle, in Senate bill No. 25. After which the journal was adopted.

Senator Wood, Chairman of Special Com-